

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9991 of 2014

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1. Rupam Kumari D/o Shri Late Arjun Paswan resident of C/o Indu Devi, Railway Colony, Rajwara Qr. No. T/86A, P.O. - Barauni, District - Begusarai.

.... Petitioner/s

Versus

1. The Union of India through the Chief Postmaster General, Bihar Circle, Patna.
2. The Superintendent , RMS, NB Division, Samastipur.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjiv Krishna Bariar

For the Respondent/s : M/S S.D. Sanjay, Addl. S.G. & Ravinder Kumar
Sharma, CGC

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 01-03-2016

The challenge in the present writ petition is to an order passed by the Central Administrative Tribunal, Patna Bench, Patna, in OA 535 of 2012 on 3rd July, 2012, whereby the request of the petitioner for appointment on compassionate ground was not entertained.

2. The petitioner is the daughter of Arjun Paswan, who died on 13th March, 2003. She applied for appointment on compassionate ground, but the same was declined for the reason that the mother of the petitioner, namely, Smt. Indu Devi, is working with the Railway at the Railway Hospital, Barauni. Thus, it cannot be said that the petitioner is facing financial indigence, making out a case for survival to consider her request for compassionate appointment. Since the mother of the petitioner is gainfully employed, it cannot be said that the family after the death of her father, is in difficult financial condition to sustain them. In view thereof, the Tribunal has rightly recorded a finding that in view of gainful

employment of her mother, the petitioner cannot claim appointment on compassionate ground.

3. We do not find any error in the order of the Tribunal which warrants interference by this Court. The mother of the petitioner is gainfully employed and is in position to sustain family. The compassionate appointment is not a source of appointment and cannot be claimed at the asking. The petitioner has not made out any case for interference in the writ jurisdiction of this court.

4.The writ petition is, accordingly, dismissed.

(Hemant Gupta, J)

B.K.Roy/-

(Navaniti Prasad Singh, J)

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